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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No.: 2:23-cv-05486-JLS-MAR

Date: October 19, 2023

Title: Pilot, Inc. v. E&P Investments LLC et al

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(a “cancellation [ ]claim under § 1119 must have an independent jurisdictional basis”). Therefore, Plaintiff cannot rely on its trademark-cancellation request to establish federal-question jurisdiction over this action. Nor can Plaintiff reframe its request for trademark cancellation as a poorly pleaded trademark-infringement claim that would be sufficient to confer federal-question jurisdiction. *See Airs Aromatics*, 744 F.3d at 599–600 (considering such an argument but rejecting it on 12(b)(6) grounds). Plaintiff expressly labels its fifth claim for relief as “Cancelation of United States Trademark Registration.” (Compl., Doc. 1 at 14.) Moreover, Plaintiff does not seek infringement remedies (*e.g.*, damages); it seeks only a declaration “that the Plaintiff’s consent to the registration of the [trademark] is withdrawn and the Trademark rights . . . are cancelled.” (*Id.* ¶ 74.)

For the foregoing reasons, the Court DISMISSES this action for lack of subject-matter jurisdiction and orders the action to be closed.

Initials of Deputy Clerk: gga